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PATENT

Client-Matter No.: 66661-028

(P-IS 4588)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of
Ideker et al.

Confirmation No: 7007

Group Art Unit: 1631

Serial No.: 09/823,850

Examiner: M. Zeman

Filed: March 30, 2001

For: METHODS FOR DETERMINING
THE TRUE SIGNAL OF AN
ANALYTECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450DECLARATION PURSUANT TO 37 C.F.R. §1.132

Sir:

We, Trey E. Ideker, Vesteinn Thorsson and Andrew F. Siegel, hereby declare as follows:

1. We are the Trey E. Ideker, Vesteinn Thorsson and Andrew F. Siegel who are named as the co-inventors on the above-identified patent application.
2. We are the Trey E. Ideker, Vesteinn Thorsson and Andrew F. Siegel who are named as co-authors with Dr. Leroy E. Hood, on the publication entitled "Testing for Differentially-Expressed Genes by Maximum-Likelihood Analysis of Microarray Data" published as Ideker et al., *J. Computational Bio.* 7:805-17 (2000).
3. The invention claimed in the subject application was conceived and reduced to practice by us jointly while we were working in Dr. Hood's laboratory.
4. The impetus for solving the problem of intensity variation in fluorescent array measurements, which is the subject matter of the Ideker et al., *supra*, publication, was supplied by Dr. Hood. Laboratory support and professional encouragement also was supplied by Dr. Hood. Conception of the error model for reducing observed variability and reduction to practice occurred in Dr. Hood's laboratory by us jointly. Therefore,

Exhibit B


Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

contribute to aspects of the subject matter claimed in the above-identified application. Therefore, Dr. Hood was not named as a co-inventor of the claimed invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 18 November 2003

By:


Trey E. Ideker

Date:

By:

Vesteinn Thorsson

Date:

By:

Andrew F. Siegel

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

while recognized as a co-author of the Ideker et al. publication, Dr. Hood did not contribute to aspects of the subject matter claimed in the above-identified application. Therefore, Dr. Hood was not named as a co-inventor of the claimed invention.

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Date: _____

By: _____
Trey E. Ideker

Date: Nov 18, 2003

By: Vesteinn Thorsson
Vesteinn Thorsson

Date: _____

By: _____
Andrew F. Siegel

Inventors: Ideker et al.
Serial No.: 09/823,850
Filed: March 30, 2001
Page 2

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Date: _____

By: _____
Trey E. Ideker

Date: _____

By: _____
Vesteinn Thorsson

Date: 12/2/03

By: 
Andrew F. Siegel